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Disarmament Commission

266th meeting

Friday, 22 July 2005, 3 p.m.

New York

Chairman: Mr. Rowe ..... (Sierra Leone)

The meeting resumed at 3.25 p.m.

The Chairman: It is now 3.25 p.m. Yesterday I promised that we would resume this meeting at 3 p.m. sharp today. Unfortunately, that was not the case. With the indulgence and permission of the Commission, I shall suspend the meeting shortly in order to convene a meeting of the Bureau here at the podium, to last no more than 10 or 15 minutes. This meeting would resume thereafter.

Mr. Najafi (Islamic Republic of Iran): I respect the Chairman's decision to suspend this meeting to hold a meeting of the Bureau. However, we would like to be apprised of the situation; yesterday we were in the same situation, and we spent about two hours without any activity, and it would be regrettable if that were repeated. As I understand from my recollection of the situation, we all agreed *ad referendum* on a package, with one delegation requiring instructions from its capital. We would just like to know what the situation is. I have doubts about continuing to suspend the meeting any further.

Mr. Gala López (Cuba) (*spoke in Spanish*): I shall be very brief. My delegation too would like some sort of explanation as to why we must suspend our meeting. As my delegation understands it, we were simply to adopt the report in accordance with the previously agreed wording. Therefore, like the delegation of Iran, we would like the Chairman to give us, if possible, an explanation of what is happening.

The Chairman: I shall try to respond to the question raised by the representatives of Iran and Cuba. I would like to be able to equip myself in order to let the Commission know exactly what is happening. That is the reason I have asked to meet with the members of the Bureau. I shall get back to the Commission. I would not want to prejudge or anticipate anything. I would like to equip myself. I myself should know exactly what is happening before I can communicate that to the Commission as precisely as possible. Therefore, please bear with me as I gather as much information as possible and interact with members of the Bureau. I will get back to the Commission as soon as possible.

Mr. Shamaa (Egypt): I have to say that I am fairly sure the question posed by the representative of Iran is one that several delegations in the room have. The reason that question is being raised is that there was a suspension yesterday that lasted for the duration of the meeting. At the same time, we were not given any explanation as to why we suspended yesterday's meeting. The reason given was that additional consultations were taking place. As a matter of fact, none of the delegations present were actually consulting with other delegations. I therefore feel that it is imperative that, even if the Chairman does not have complete information about the situation, he might wish to share with us at least the information that he does have, in order that we too are in a better position to comprehend what is actually occurring, especially given that we ended our negotiations successfully and reached agreement at our meeting on

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Wednesday. That was not qualified as an *ad referendum* agreement, but rather an agreement on the two agenda items for the Disarmament Commission's substantive session and on how the Commission would take up the issue of its working methods. In that regard, I believe that further explanation and clarification for delegations would be in order. I am certain that you can appreciate the fact that transparency allows for work to be undertaken much more constructively.

The Chairman: I mentioned yesterday that, as far as I know, although consultations were not necessarily going on among delegations, certain delegations were waiting for instructions. That was the reason for the postponement. It did not go over well with certain delegations, but they eventually agreed that we would suspend the meeting and wait until tomorrow — meaning today. I said yesterday that I could not give assurances and that there was no guarantee. Also, it was the representative of Iran, I think, who raised the question of, "What if?", and I could not answer that directly.

I believe that the situation remains the same as it was yesterday when we suspended the meeting. As I said, I need to let members know exactly what is happening and give them full details, so I should like to consult with the Bureau. I know that the Bureau is not fully constituted, but we did consult on Wednesday, prior to the open plenary meeting. I was pleased that many members of the Bureau were able to give me some ideas, and we discussed some of the issues before I put them to the House. I need to do that now and inform them of what I know, and we will see where we go from here.

I ask the indulgence of members in allowing me to meet with the Bureau and then come back. I can assure everyone that I will not prolong that meeting; however, we need to iron out a few things.

Mr. Shamaa (Egypt): I do not want to prolong this discussion, but I think that, out of respect for the delegations present here, we need an indication of the exact time when the meeting will be resumed, or if it will be resumed. If it is not resumed, I think it would be wiser for everyone to go back to their offices. Everyone has a great deal of work to do, so just lingering, here in the Conference Room or elsewhere, would not be helpful in any way. Therefore, if there is an intention to resume the meeting today, an indication of the time of the resumption would be much appreciated.

The Chairman: I shall now suspend the meeting so that I can meet with members of the Bureau. As I said, the suspension will not last for more than 10 — at most, 15 — minutes.

The meeting was suspended at 3.35 p.m. and resumed at 4 p.m.

The Chairman: I had promised that the Bureau was going to meet for about 10 minutes; we took more time than that. I apologize. But I am now in a position to make the following announcement.

I have been informed by one delegation that it had problems with the first substantive item on the provisional agenda — the item dealing with nuclear weapons. That delegation is proposing an amendment to item 1. I received no further information. So I conveyed that to the members of the Bureau, and we agreed that I should let the House know that one delegation had come up with an amendment.

Mr. Gala López (Cuba) (*spoke in Spanish*): Thank you, Mr. Chairman, for the information you have provided us on the status of the deliberations. Obviously, we believe it is appropriate that the delegation in question explain the logic of its position and of its proposed amendment, particularly after the understanding in this room that there had been an agreement on the agenda items. In that connection, a new proposal would obviously require an explanation in order to be understood, since practically all delegations have come to this meeting with the hope that we would adopt the report, which refers to the agreement reached during the previous consultations.

Therefore, we should like to know the reasons why the delegation in question does not agree with the item on nuclear disarmament, which was agreed previously in the negotiations.

Mr. Bravaco (United States of America): First of all, let me thank you, Mr. Chairman, for your intensive efforts this week to bring us together to reach an agreement. I must say that you are a true bridge-builder: the international community needs such architects and engineers as never before. So I salute you for your efforts.

The pace of our work this week has indeed been impressive and encouraging — and surprising, in some quarters. I am pleased to report that my capital concurs with the spirit of reviving this important body after its long period of inactivity. I am also pleased to report

that the vast, vast majority of everything we have worked on together over this last intense week has been reviewed very favourably by my senior authorities, because the topics we have identified as important are exactly that and worthy of this body's consideration.

However, after careful review, there is a desire in my capital to streamline the language of the first agenda item as follows: "Recommendations for nuclear disarmament and non-proliferation of nuclear weapons".

The United States feels very strongly that this relatively minor alteration of the text does not fundamentally alter the character of the bargain we are close to making, but instead preserves the key objectives and gives due deference to the views of all States. We can still reach agreement. The Disarmament Commission can still be revived and engage in serious and precise dialogue on important matters, and the Commission thereby can resume its contributions to international peace and security — an outcome we all genuinely seek.

The Chairman: I will assume that the statement made by the representative of the United States satisfies the request of the representative of Cuba, who wanted to know the reason for the announcement I made about the amendment to item 1 on nuclear disarmament.

Mr. Gala López (Cuba) (*spoke in Spanish*): I must confess that, regrettably, my delegation does not understand the desire of the delegation that has spoken to rationalize or streamline the issue of nuclear disarmament. We are not clear on the arguments used by that delegation in seeking simply to eliminate half of the wording that had been agreed to, which essentially reflects one of the priority objectives in the area of disarmament and which is in perfect harmony with the decisions that have been taken in this Commission and with General Assembly decision 52/492. It remains unclear to us, therefore, why there is a desire to delete half of the wording.

Mr. Rachmianto (Indonesia): We have spent a great deal of time working to reach an *ad referendum* package which takes into account the interests of various groups and countries. We regret the fact that a new amendment has been proposed, and I am 100 per cent sure that our belief is shared by other members of the Non-Aligned Movement. This is not streamlining the language. This is not simply making the sentence shorter. It has very far-reaching implications which also change the nature of the first agenda item.

Speaking now in my national capacity, let me ask: Are we going backwards? Is the process going to drag on? After spending so much time on this, will we, at the end of the day, have arrived nowhere? If I may appeal to you, Mr. Chairman — I leave it to your judgment — there are significant differences of opinion, and I leave it to you to make the next move.

The Chairman: The representative of Indonesia has asked me to make the next move. Unfortunately, I am not at this time fully equipped to do so. I would rather listen to members of the Commission and hear their ideas. I have listened carefully to the first few reactions to the proposal made by the United States. I invite members to enlighten me as to their views so as help me find a way out, so that we can go back to the stage that we had reached yesterday.

Mr. Najafi (Islamic Republic of Iran): First of all, I fully support the comment made by the representative of Indonesia on behalf of the Non-Aligned Movement. We looked at the formulation we had worked out during the last week. It took a long time to put together this package. Any change to it would mean that it would no longer be a package, especially if we make such a drastic change, which, in my view, would change the whole meaning and objective of the first agenda item in particular.

Let me explain the national position of my delegation on the package. My delegation also has some concerns regarding its formulation.

Based on the consensus decision of the General Assembly, the first agenda item, or one of the agenda items, should be on nuclear disarmament and nothing else. The additions in that respect are not based on the decision of the General Assembly.

The other concern my delegation has is the wording recommendation, which is not clear. Indeed, the previous proposal by the Non-Aligned Movement, on the guidelines, make the objective of the discussion clearer. So, nationally speaking, we, too, have concerns, but in order to pave the way for further work in the Disarmament Commission, we have shown great flexibility in agreeing on something that makes everyone equally happy and unhappy.

In addition to those concerns, there is the question of the third issue. We believe that there is no

need to discuss the working methods, given that General Assembly decision 52/492, which was to take effect in 2000, has just been implemented. We did not have a substantive session in 2002 or 2004, so we have only been implementing the working methods set out in decision 52/492, adopted in 1998, for three years. Therefore, it is very premature at this point to discuss the issue of working methods again.

However, my delegation joined the consensus reached in this room and agreed on the package that one delegation had proposed for discussion of that issue. So it is not fair to say that the formulation of the package favours one delegation or another or one group or another; it is a package that was a compromise for everyone. We do not believe that opening the package would be useful.

Having said that, I would like to add that, unfortunately, we had the bitter experience of last year's discussions during the substantive session. We spent the whole substantive session here at United Nations Headquarters discussing agenda items, and we are witnessing the same situation: waiting a long time, hours and hours, for instructions from one capital. And we regret that.

Mr. Shamaa (Egypt): Much time has been spent, not just this week, but even in the informal consultations prior to that. What is more, our work during the past few weeks was, in effect, a continuation of last year's efforts. At the end of our efforts, an agreement was reached, specifically on Wednesday, and I have to say that it was not a premature agreement. On the contrary, it consumed a lot of time and a lot of effort, and most definitely it was not unexpected, at least for this delegation.

But I have to say that the situation in which we now find ourselves leads to a very simple conclusion: the real problem with the disarmament machinery, including the Disarmament Commission, is actually not the ineffectiveness of the working methods, but a lack of political will and commitment. Another element of the problem, which my delegation finds itself compelled to raise, is the issue of a lack of transparency. I believe that that is one of the reasons we find ourselves in the situation we are in today.

My delegation left the conference room on Wednesday with a clear understanding that there had been an agreement. And please correct me, Mr. Chairman, if I am wrong: that agreement concerned two agenda items and a decision regarding discussion of the issue of working methods during the 2006 substantive session.

Hence, Mr. Chairman, in response to the question that you posed after the intervention of our colleague from Indonesia regarding what to do next, I believe that the logical thing to do now is to pose a very simple question: is there any objection to the agreement that was reached on Wednesday?

The Chairman: On the basis of what the representative of Egypt said, I believe we have the option of considering the merits of the amendment proposed by the representative of the United States. But, more important at this stage, we might want to look at the procedural consequences of the amendment. I think the representative of Egypt indirectly touched upon that.

So I need members' guidance. I am not putting a moratorium on any delegation with regard to speaking about the content of the amendment, whether it is long or short or has deviated from a previous decision; we can get to that. But I would like us to address the issue in terms of procedure first. Perhaps after that, we can see our way clear as to whether or not we will address the content of the amendment and its merit. So I would like delegations to provide me with some guidance in terms of procedure.

Mr. Fruchtbaum (Grenada): Mr. Chairman, my delegation wishes to express its pleasure at the extent of your patience and, in a sense, of the patience that we are all attempting to express. It seems to me and to my delegation that, given the lateness of this proposed amendment, it is the responsibility of the delegation proposing it to provide us with the argument for the amendment: what benefit is there for the Disarmament Commission — for all of us — to consider the proposed amendment? Surely, the proposer has some understanding of the reason for the proposal. At least we think that it behoves that delegation — that that delegation has the responsibility — to at least explain to us the thinking behind this proposed amendment.

In looking at the proposal, I have been able to develop arguments for it, trying to see how it would really affect the agenda item as agreed. But it is not up to my delegation or other delegations to provide that analysis before the proposer provides it.

The Chairman: I believe that the representative of Grenada is right. But I think his question also relates

to what I said earlier about the content of the amendment. I believe that the representative of the United States explained — perhaps not to the full satisfaction of all of us — the reason that his delegation had proposed the amendment. But perhaps members will allow me at this late hour, with their permission, to request the representative of the United States to let us know how his delegation intends or proposes to have us handle its proposal.

Mr. Bravaco (United States of America): Mr. Chairman, I must apologize. I am not clear on what you mean by "handle". My objective here is to come to an agreement on a Disarmament Commission agenda package, so we can begin work, presumably in the spring of 2006. My key objective, therefore, in making the amendment is to allow my Government's support for a package for the work of the Disarmament Commission next year. That is my key objective.

I suppose we can deal with the content when you, Mr. Chairman, determine that it is most appropriate, but that is as much as I can say at this point, unless you can provide me with a better understanding of what you mean by "handle". My goal here is to try to convey my Government's full support for the work of the Disarmament Commission in the spring of 2006.

The Chairman: Let me rephrase what I said.

The United States has just proposed an amendment. The reason why I asked the question is that it was my understanding that, in the light of what we had already achieved, we already had a package. I emphasized the fact yesterday that we had a package, and my understanding was that there was a feeling in the House that the first agenda item, which we adopted *ad referendum*, was linked to an agreement on the package as a whole.

At that stage, I deliberately did not want to call it a package or to take the package approach. As I said, I approached it incrementally, but once we had achieved agreement on the two agenda items, once we had resolved the question of the revitalization of the Commission, agreement on a package had already been reached. So, in the light of the amendment proposed by the representative of the United States, I thought that it might be relevant to ask him to give us an idea of how he believes the Commission should, at this stage, address — I hope that is a better synonym for "handle" — the concern that he has expressed in the form of this amendment and the explanation that he gave in presenting the amendment. That is my rephrasing of the word "handle".

Mr. Bravaco (United States of America): Mr. Chairman, that makes it quite a bit clearer.

I would just like to recall that on Wednesday, when the *ad referendum* package was submitted for approval to delegations in the construct of the draft report of the Disarmament Commission, I signalled to this body and to you, Mr. Chairman, that I would have to submit the package as a whole, as contained in the draft report, to Washington for final approval. I did that then, because I realized that the entire package, as a whole, would have to be finally weighed at senior levels, and that time would be needed for that to happen.

On the following day, I had not received my instructions, and the Commission was gracious in affording me additional time to seek final instructions. Those final instructions have come through, after very senior-level review by my Government — every element of it — and this is the result. The result is a "yes" on the issue of a Disarmament Commission agenda package, the result is a "yes" on the issue of putting the Disarmament Commission back to work, the result is a "yes" on the vast majority of all the elements that we have worked on *ad referendum*, subject to final approval by our Governments, as you, Mr. Chairman, have made plain throughout.

I am hoping that you, Mr. Chairman, and the representatives of Governments assembled here can look at this amendment as a sincere American effort to try to get to "yes" on reviving the Disarmament Commission and getting it to focus on, in substance, as a practical matter, all of the issues that we have discussed here as worthy of consideration. The operational difference of this amendment for our work next year is zero, as compared to your original proposal. Item 1, as amended by the United States proposal, makes no operational difference to the work that we will do next year, should agreement come on an agenda as a package after we adopt the final report. That is the American view.

There will be internationally agreed recommendations on nuclear disarmament and non-proliferation. That is the key objective, I think, and the amendment that the United States is proposing will allow this body to achieve that objective should we

come to a consensus agreement at the time on recommendations that we all work on together.

So I would urge, respectfully, that we all keep our eyes on the prize.

The Chairman: I should like to apologize to the representative of the United States and to other representatives, because I hope that I do not sound prosecutorial in requesting a response from, and engaging in a kind of dialogue with, the representative of the United States. That is not my intention. But circumstances dictate that I must do so. Other representatives have, as it were, passed the buck to me. I can accept the buck, but in order to do so I need some clarification myself. I hope members will bear with me as I do so.

I do not want to be controversial, but do representatives believe that the package should be reopened slightly? Is accommodating the amendment tantamount to opening up the package? That is related to what I said earlier, that we have to address the procedural consequences of your proposal. I am not, at this stage, prepared to go into the content of your proposal. Some delegations have already done so, but I think that it is important for us — because of time constraints, and on the basis of what we have discussed during the past several days and the stage that we have reached — to see where we should go and what we should do before 6 o'clock today, because I have been asked that question. I would like representatives to help me in that respect.

Mr. Bravaco (United States of America): I will try, Mr. Chairman. I genuinely will.

I really do not see the alteration that I am proposing as opening up a closed package, only because the *ad referendum* nature of everything we have discussed and negotiated this week has been preserved. We have reminded each other of the need to look at these things in relation to one another, but we have also acknowledged that we are not the masters of our own fate here, as you so rightly put it, and that, in the end, these are important matters that all of our Governments — every element of all of our Governments with an interest in these matters — are going to have to review very carefully.

We have moved very swiftly. I have tried to get my capital to focus on this as intensely as possible, as broadly as possible, as definitively as possible and as quickly as possible, and, in the end, they felt that the process was not that far along and that the suggestion that an alteration be made was, in terms of overall objective, not that extreme. They felt that I could propose it, and that, because of the fluid nature of this process, and because no one expected anything other than an adjournment to result from this year's session, and that did not happen, Washington took that as a good sign and wants to see agreement here on the key issues on which we focussed this week.

Washington is also aware that the Disarmament Commission session lasts for three weeks. We have used one of those weeks. Last year all three weeks were used — to no avail. We have come 95 or 99 per cent of the way here in one week. The United States does not see it as a late amendment, but, rather, as a suggestion to an *ad referendum* package that required final approval in capitals in the end anyway, and now I am happy to report that that has come.

Mr. Chairman, I would not characterize it, therefore, as reopening something that was hard and fast closed, because the draft report, which contains the deal, was submitted by you — by the Bureau — for final approval on Wednesday for the entire House. The response that I was hoping for has come back from Washington, and it is a "yes" to all of the issues that we have identified as important. I hope that helps a little bit, and, if you need any further clarification, I will be happy to try to afford it to you.

The Chairman: I appreciate the effort made by the representative of the United States.

Mr. Gala López (Cuba) (*spoke in Spanish*): I think that one of the positive aspects of having undertaken this process of consultation in a formal setting is the fact that our statements have been duly placed on record. That will enable us to take stock of what has occurred during this organizational session. I recall in particular that, roughly two days ago, the United States delegation stated that it was taking a very constructive attitude during our consideration of the first agenda item. I recall very clearly that the representative even said that he was ready to withdraw certain phrases that they had insisted on initially. I recall also that, after we reached agreement, he pointed out that his final position would be subject to the progress made on the remainder of the agenda items. As a result, many of us — just about all of us — assumed that the process should continue so that a

compromise package could be arrived at, which, indeed, was the case recently.

I think this is important, so that we do not forget the statements and comments we make when we are negotiating in a formal setting.

Secondly, Mr. Chairman, I think that you very wisely began this process on Monday by addressing the issue of nuclear disarmament because it is a more complicated question. The idea was that, once we had dealt with that item, we would, hopefully, be able to progress more quickly. I believe that we did, indeed, progress more rapidly once agreement was reached on the issue of nuclear disarmament.

Thirdly, Mr. Chairman, I believe that, in keeping with your own request that we deal with procedural questions and consider what to do next, we should ask the relevant questions. I believe that the representative of Egypt has already made suggestions as to how we should at least begin dealing with this matter from a procedural standpoint. The specific issue here is to ask which delegation has objections to the compromise package we have arrived at. Then we can continue with procedural matters. But we should do this in order to be clear on where we stand.

Mr. Shamaa (Egypt): I should like just to reiterate once again my suggestion as to how to proceed with this issue. In my previous intervention, I inquired if there was any objection to the agreement — the package — that was arrived at on Wednesday. The reason for that question is very simple, actually, because we need to clarify the way forward.

If there is agreement on the package, or if there is no objection to the agreement that we reached on Wednesday, we can start looking into the draft report that the Secretariat has prepared for us. If there is an objection to the agreement that was reached, then I would like to hear suggestions from you, Mr Chairman, on how we will be moving forward — if there will be any movement forward.

Mr. Laki (Uganda): When you were elected as Chairman, Sir, Uganda was very happy. We congratulated you and we knew that you would steer us with your vast experience in these matters. In that same spirit, I would like to say that maybe you need to be on the lookout lest you be put in a very uncomfortable situation. We appreciate the pressures that you are under, but at the same time we know that multilateralism has its place.

When we suspended the meeting on Wednesday, the contention was on two issues mostly. They were whether "equitable" amount of time or "equal" time was to be allocated to the agenda items. Yesterday, when we came back, you indicated, Sir, that we would have a good package. I have been waiting, but that package has not come.

My delegation would like to say that there are better ways of arm-twisting, but we have waited and we have not seen them. The timing of this is suspect, and we should avoid creating precedents, because if, in the future, any delegation is not comfortable with a certain position, then, at the eleventh hour — as a matter of fact we are coming to that — such things will crop up.

I would seek your indulgence, Sir, in hoping to ensure that some of these matters are not replicated and that we can discuss them amicably and know what to expect. Even now, we do not know what might come when we resume on Monday. As far as my delegation is concerned, this is a bombshell. Almost three quarters of agenda item 1 is gone.

The Chairman: I have taken note of the suggestion made by the representative of Egypt. I would like to approach it from another angle and put it this way. Is it the wish of the Commission at this time to consider or discuss now the amendment proposed by the United States this afternoon? If that is the case, when exactly should we discuss it? Now? Next week? The week after?

Mr. Gala López (Cuba) (*spoke in Spanish*): Briefly, it would seem, Sir, that you have not really grasped what I was saying earlier. The question that you should actually have raised first is: Which delegation objects to the agreement that we reached and that we all thought would be adopted? Other questions could be raised after that.

Mr. Najafi (Islamic Republic of Iran): My comment is similar to that just made by our colleague from Cuba. Indeed, we agreed on a package *ad referendum* on Wednesday and we were supposed to come here on Thursday to say either yes or no to the package. Unfortunately, that was not possible yesterday because of the time needed by one delegation, and

today we find that, although many say yes, the answer is no to the package as a whole.

In our view, one way — and I am thinking aloud — would be to record what has happened and report to the General Assembly that the Commission, after discussion of the package, could reach no consensus on it.

The Chairman: I deliberately did not use the word "consensus", in the sense that there is no consensus on the package. As far as I understood it, we had a package. I should recall here that I remarked — I think it was on Wednesday — that we should at that point, in view of the success that we had achieved, dispense with the expression "*ad referendum*". I did say clearly that this package was a provisional agenda. The concept of "*ad referendum*" is implicit in the expression "provisional", as far as I am concerned, because, as I said, it was going to go to the substantive meeting, where it has to be adopted. Even at that stage, any delegation may reserve the right to object or raise any issue when the question of the adoption of the agenda is raised by the Chair. I did say that we should dispense with the expression "*ad referendum*". It was my understanding that we had a package of a provisional agenda.

Yesterday, we attempted to amend — indeed, we succeeded in amending — the report by removing the Chair's proposal, which was an annex. There would no longer be an annex and the package we had agreed to provisionally was to be placed in the body of the report. Maybe the delay, caused by our decision to allow for one or two delegations to receive word from capitals, was tantamount to the fact that we had not yet reached consensus. It could be interpreted that way, but I did not use that word.

I took note again of what the representatives of Egypt and Cuba said — that I should pose a particular question — but I thought, in the spirit of the last several days, to pose the question in another way by saying "whether or not". When the United States made the proposal for the amendment, there was an implicit objection to the content, not to the fact of whether we should discuss it, and I tried to dissuade delegations from dealing with the content.

So the point is that I am still interested to know whether or not the Commission would like to discuss or consider the amendment. If the answer is yes, I will take it from that point; if the answer is no, I will take it from that point.

Ms. Paterson (United Kingdom): You have left us with quite a few things to think about, Mr. Chairman, and we have just heard a proposal. I think that if you would give us about 10 minutes just to reflect, we might be able to come back and answer.

The Chairman: I thank the representative of the United Kingdom for that proposal. I was thinking about doing that, but I was a bit concerned about asking for a recess, which can sometimes be prolonged. But before we do that — if we all agree to do so — I would like to give the floor to the representative of Indonesia so that he can address the proposal of the United Kingdom.

Mr. Rachmianto (Indonesia): I have no problem with the proposal by my colleague from the United Kingdom. However, I just want to make it very clear that, as I stated earlier, this amendment does not only streamline the language, and the Non-Aligned Movement certainly has a problem with it.

The Chairman: Could the representative of Egypt please throw some light on the proposal by the representative of the United Kingdom? Does he agree that we should have a short recess?

Mr. Shamaa (Egypt): Before I do that, Mr. Chairman, I would like to touch upon something else. I agree very much with what you just said. On Wednesday, when we reached agreement on the last of the elements, you indicated very clearly that we were thus removing the words "*ad referendum*" from the agenda item. The way in which we interpret that — and I think it is a fairly straightforward interpretation — is that there is consensus on it. So I just wanted to confirm what you just said and to add that there was consensus on removing "*ad referendum*" from the agenda items. And I have to indicate once again that my question still stands: is there any objection to the agreement that we reached?

Mr. Najafi (Islamic Republic of Iran): We have no problems with the proposal by the representative of the United Kingdom.

I would like to support the question posed by my colleague from Egypt. In addition, I would like to make a general comment. If we reopen the package, it will mean that there is no agreement on agenda item 2 or on the third issue, because the package is a package: we agreed on everything together. If we open one part of it for discussion, it will mean that there is no agreement on the other parts of the package.

The Chairman: I think that we can now have a short recess, at the request of the United Kingdom.

Earlier in the week, I suggested — and said that I was impressed that representatives had accepted my suggestion — that we should discuss things not only within our own individual groups, but also across the various groups. I think that that procedure helps, and I hope it will be followed this evening. But I also hope that members will have time to consider two questions: the question to me, raised by the representative of Egypt, on the basis of which he wants us to proceed, and the question that I raised: is it is the wish of the Commission to consider or discuss the proposal by the representative of the United States? Members may wish to discuss that as well.

The meeting is suspended for, I hope, approximately 10 minutes.

The meeting was suspended at 5 p.m. and resumed at 5.27 p.m.

The Chairman: Since it was the representative of the United Kingdom who asked for a recess, I should like to give that country the floor. It is my understanding that the plan was for the various groups to meet and then come back to help us overcome the hurdle that has been created this afternoon.

Mr. McBride (United Kingdom): I wish to apologize for our delay in taking the floor. We had just regained our seats and were recollecting our thoughts. We would be grateful to know, Mr. Chairman, if you have had any chance to gather any feeling in the room from your informal consultations among delegations.

The Chairman: I think someone spoke earlier of passing the buck to the Chairman. The ball is in my court now. I bounced it back to delegations and to the various groups, as I was asked to do, and now the ball is back in my court.

I was not able to speak directly with all the regional groups. What I did was put my antennae up — I think I have several antennae — and, I could be wrong, but my feeling at the moment is, from what I gathered, that there may be some acoustic distortions between the door to my right and the other door to my left, and in the delegates' lounge on the other side.

But it appears to me that, with respect to the question I posed earlier on — that is, is it the wish of the Commission to discuss the amendment proposed by the United States, and if so, when — delegations are not in a position to answer that question. My conclusion, therefore, is that the answer is "no". It appears that the Commission does not wish to consider or discuss the amendment proposed by the United States.

In these circumstances, I have no alternative but to state that, in my view, with respect to the door that we opened earlier this week, the expectations that we had and the success we had achieved, we appear to have run into a serious problem. I will not say that the door has been shut, but we have to be candid and clear: we cannot go through that door. Therefore I would propose that we close the organizational meeting of the Commission on Monday after the Commission's report has been adopted.

I am going to spend some time this weekend amending or adjusting the report that we all thought we were going to adopt yesterday or earlier this afternoon, but did not, and ensure that the report reflects, as far as possible, the proceedings of the organizational meeting that we opened on Monday. The only decision would be a clear decision that we would close the meeting and have a new organizational meeting in November and December, after the work of the First Committee.

Mr. Fruchtbaum (Grenada): My delegation believes in dialogue, and we also believe in open doors. However, we only have a half-hour or less available to us this afternoon. Through you, Sir, I would like to pose to the representative of the United States the following dilemma, as my delegation sees it, in the hope that that will encourage him to give us more insight into the amendment that he has proposed. That insight could, perhaps, stimulate further dialogue.

The proposal of the United States is to change agenda item 1 to "Recommendations for nuclear disarmament and non-proliferation of nuclear weapons". He said, and these are very important words to my delegation, that that proposed amendment would have no operational difference. To my delegation, that implies that the words "in all its aspects, in particular for achieving the objective of nuclear disarmament", which would be deleted by the proposed amendment of the United States, really are implied, if there is to be no operational difference, by what would be left in the amended agenda item. That, standing by itself, would allow every delegation to assume that the words that are left out really still stand, perhaps in a ghostly or ghost-like way.

If that is so, however — and this is the dilemma that I pose to the representative of the United States — and the implication remains that those words crossed out still apply, why amend the proposed agenda item that we have agreed on? If the representative of the United States could supply us with any insight into the thinking that has led the United States to propose the amended agenda item, that would be very helpful indeed, certainly to my delegation.

The Chairman: My understanding was — although I may be wrong — that representatives would not want to discuss the proposed amendment of the United States at this stage. That was my understanding. I take note of what the representative of Grenada said, but at this stage my feeling is that the house does not want to discuss the amendment. If it did, I would have posed the question to the United States.

Mr. Gala López (Cuba) (*spoke in Spanish*): My comment is on another issue. Clearly, like the representative of Grenada, I believe the issues he raised are interesting and ought to be addressed and responded to at some point in time.

I have asked to speak in order to ensure the transparency of the process. The agreement reached yesterday was circulated to all delegations as revision 2. If a new version of the report is to be put forward, it should be called revision 3.

The Chairman: I take note of that. Going back to what I was saying about the suggestion made by the representative of Grenada, I apologize to him, but the house does not want to discuss it. We hope that the United States and others will take note of what he said, and that will probably be reflected in further discussions outside this particular environment or at another level. As of now, however, the amendment is not and will not be discussed unless I hear something to the contrary.

Mr. Bravaco (United States of America): I take the floor very briefly simply to say that I take good note of the views expressed by the representative of Grenada. I agree with much of his analysis and, at the appropriate time — if time is made available and if member States are willing to discuss my proposed amendment — I will be happy to provide more information to him and to others.

The Chairman: Last week, many people never thought that we would even come up with a package, but we did. One could probably describe that as a miracle. Maybe there will be another miracle over the weekend, and I may have cause again to change the draft report that I am supposed to be working on. I do not know, but I will work on the report on the basis of what happened today and present, as the representative of Cuba suggested, revision 3, in which I will try to reflect as much of what happened today as possible. If there are other discussions or consultations over the weekend that can bring about any change, we will consider that if necessary or accordingly.

So my proposal would be for us to meet in the afternoon on Monday. Because of the time constraints, the text may not be ready before Monday morning. If it is ready, the Secretariat will ensure that it is circulated to all delegations before the meeting on Monday at 3 p.m. If not, I hope delegations will understand if it is necessary for them to pick up the text. But we will try our best to ensure that delegations have the report before the meeting on Monday.

Mr. Omura (Japan): I respect your decision, Sir, however painful it may be.

I would like to take the floor to raise one point. You said that you would present us with the revised report of the Disarmament Commission with the due reflection of what has been discussed in the course of this week. However, the point that I would like to make is that if the revised draft report details the discussions of this week, it may invite further discussion on the content of the report itself. What I would like to see is that the report be simple and with a minimum amount of amendments to the original draft report that was tabled at the beginning of this week.

The Chairman: I take note of that. As I said, there was a new development today and, as Chairman, I will try my best to dovetail it into the report, without, of course, ignoring the fact that there was at least a level of agreement, whatever it may have been, on revision 2. Yesterday, I made some amendments and there was no objection to them. I suggested that paragraph 8 of section II be moved to become paragraph 11 (bis) under section IV. There was no objection to that, and I expected to be able to come and bang the gavel today to adopt it. It was just a procedural thing. As far as I know, there was no controversy over that.

So that fact will be taken into consideration in presenting revision 3. Whatever I write will be open to the house for discussion and consideration.

Mr. Najafi (Islamic Republic of Iran): Indeed, I have the same concern expressed by our colleague from Japan. In my view, there is a feeling in the room that we should just focus on the organizational report. Perhaps our time is limited, but I believe that we could even deal with the third revision in a few minutes, because the only problem, as we understand it, is paragraphs 11 (bis) and 12. If we delete those paragraphs, we can adopt the report and perhaps we do not need to come back again for another revision.

The Chairman: I thought about our resolving the problem right away as one option, but I am not sure whether we can do that. Could the representative of Iran clarify what he was saying? Should we amend paragraph 11?

Mr. Najafi (Islamic Republic of Iran): Since paragraphs 11 (bis) and 12 are a package, and at least one delegation has a problem with the package, we could simply delete those two paragraphs and adopt the report.

The Chairman: I have some problems with that. The representative of Cuba talked about transparency. It would be nice for us to be transparent and discuss this here. Was the representative of Iran referring to deleting paragraph 12? I am not quite clear. We would have to go almost paragraph by paragraph to know exactly what we did. In paragraph 8, which we are moving to 11 (bis), it would say that, on 20 July at the same meeting, the Commission "agreed". Is that a fact? Did we agree that the "following two items" and so on? We would have to be careful how we reflect the new development now.

Mr. Najafi (Islamic Republic of Iran): Perhaps I should make myself more clear. Indeed, yesterday, when you, Sir, orally revised the draft, moved paragraph 8 to 11 (bis), changed "these" to "the following" and brought the annex under that paragraph, paragraphs 11 (bis) and 12 became a package, on which we thought we might agree. Unfortunately, that has not been possible. So if we delete those two paragraphs, what remains is just the organizational aspect.

But I am not insisting. If you believe, Sir, that there is a need to have a clear text in front of everybody, I can go along with that, but I see it as very simple. Perhaps I am being too simplistic

The Chairman: I would suggest that we give this some more time to reflect, if members do not object. I would like to look at every paragraph, because when we do come back on Monday we can adopt the report with as little controversy as possible. This is just to be on the safe side.

Mr. Shamaa (Egypt): I would just like to seek some clarification from you, Sir, on a statement that you made a while ago. What I understood from what you said is that there is no agreement. Is that a correct understanding? As you recall, I posed the question during the 10-minute suspension. Actually, I posed it three times, if I am not mistaken, yet I have not received an answer to it.

You made a statement, Sir, that I have to say is still a little bit unclear, so could you clarify for us whether or not we have an agreement?

The Chairman: To be honest, it is a simple matter at this stage. I said that we came to a point, and at some point an amendment was introduced. There were interventions made, and I posed the question as to whether we wanted to consider and discuss the amendment. My understanding was that we did not, so I said that it was up to delegations to come to their own conclusions. I do not, as Chairman, want to come to any extraordinary conclusion.

If I were reporting to my capital about what happened, I would just say exactly what happened. This is just a factual report: an amendment was introduced and nobody wanted to discuss it. So what does that mean? There are several interpretations. The bottom line is that you can say that we reached an impasse. You said "No agreement"; no agreement on what? We have not agreed to discuss the amendment at this late hour. So I said that my feeling is that we should just end the meeting — the 2005 organizational meeting — and meet again towards the end of the year in the organizational meeting for 2006. Can you give me a formulation — an exact formulation — of how that should be reflected? On what are you are saying there was no agreement? I am open.

Mr. Alhariri (Syrian Arab Republic): My observation goes along the lines of the comments of the representatives of Iran and Egypt. I would like to point out that, from the beginning of the first day, there was a draft report before the Commission. Pursuant to developments, we postponed the matter to the second day. In the course of the past week, we have been meeting in the afternoon. My delegation believes that we must be very careful about exhausting the time

allocated for the Disarmament Commission. We care about the waste of resources and time allocation with regard to this issue. We will be discussing this in the First Committee during the General Assembly. Of course, we go along with your statement, Sir, that next week we will have a final meeting, hopefully to decide on this issue. We have pointed out that we want a clear sky for all of us, taking into consideration that you, Mr. Chairman, insisted that we are the house — the house of commons, I hope — that will decide on this issue. We hope that there will be a meeting on Monday morning to decide about this issue. We should not drag it out into the afternoon, the next afternoon and the next.

I hope that this will be cleared up on Monday, when we can decide on this issue — the issue that we started with at the beginning. We will be attending, as will all delegations, on Monday, and hopefully we will finish.

The Chairman: Does any delegation object to my proposal to end the 2005 organizational session on Monday, after adopting the draft report of the Commission, which will appear in document A/CN.10/2005/CRP.2/Rev.3?

If there is no objection, we will meet on Monday and consider the report.

Mr. Shamaa (Egypt): I would like to respond to your earlier statement, Mr. Chairman. I believe that it would not be very difficult for us to be clear about where we stand now and what the situation is. I believe that it was you, Sir, not I, who said that on Wednesday we took the words "*ad referendum*" from the two agenda items for the 2006 substantive session of the Disarmament Commission. I also believe that it was you, Mr. Chairman, who said that we had an agreement on a package on Wednesday.

By the same reasoning, we posed a question about whether there is an objection today to the agreement that we reached on Wednesday. I believe that the answer is very simple and does not require much elaboration. I believe that there are two possibilities: either we have an agreement or we do not have an agreement. If we have an agreement, there is one path to take. If we do not have an agreement, then we might consider taking another path. But this is a very simple matter. Either we have an agreement or we do not have an agreement. That is why I also raised the issue of transparency in my earlier statements today. Transparency means that we have to be clear and precise in our work.

It was in that spirit that I asked you, Mr. Chairman, for a clarification of your earlier statement. We are saying that, today, 22 July, we do not have an agreement. You said, in response, "An agreement on what?" Well, an agreement on the package that we reached on Wednesday. Do we today have an agreement on the package, or do we not have an agreement on that package? It is a very simple question that I am posing. I would appreciate an answer to it.

The Chairman: I find myself in a very difficult position. When I pose questions to delegations with a view to receiving guidance, I often do not get answers. I was hoping that there would have been a clear, open response to the question that I posed earlier. But there has been no direct response to my question. I posed that question deliberately. Later on, I found out. I told members that I put my antennae up and was able to determine, indirectly, that Member States did not want to discuss the amendment. That is a fact. To the question about whether or not we have an agreement, the type of agreement, whether or not it is a package, members have the answers. You, the members, know what has transpired here. The main thing is that, at some point, whether or not there was agreement or a package, we heard a proposal for an amendment. We do not want to address the amendment. So you should tell me: I asked you what we should do. I mentioned that we wanted to have a procedural question, rather than one based just on the content, because I could sense from the very first few statements made by delegations that they had problems with the amendment. But I directed your attention from that, and asked, "What do we do?" We came to a conclusion, and my understanding was that members did not want to discuss it. So what do we do? I am in your hands.

The Chairman cannot make a definitive ruling until the opportunity arises. I have been trying to do that for the past several days — that is what delegations have been commending me for. When there seems to be an impasse, I try to narrow the gap. That is the reason why I made my proposals. But at this late stage, I find myself in a very difficult position as to how we get beyond that impasse. It is not my intention to open a Pandora's box, which would create more problems.

If it is the wish of the Commission to go beyond Monday to discuss a procedural matter or even to revive the issue of the amendment, I have no problem with that. But my feeling is that we have reached the point, and we have to face it. The Chairman cannot be asked to "bell the cat".

I need some guidance. We have come a long way. I am sure that we all expected to close the meeting today; I thought that the meeting was going to last for about three minutes. And then we were faced with this problem, which is not an easy one.

It is 6 o'clock. I request the interpreters to bear with us: before we leave here, I want members to give me some guidance as to what I should write in the report. As I said, I want the report to be accepted by all members. If representatives feel that they want to contribute to the report, by all means, they should let me know now what they expect to be included in the report. I have my pen ready. In view of the circumstances that were created this afternoon, I will consider any proposal.

Mr. Gala López (Cuba) (*spoke in Spanish*): When my delegation stressed the issue of transparency, Mr. Chairman, it was precisely to avoid problems with the version of the report that you announced you would submit on Monday. We must be careful about the way in which what happened today is reflected.

The understanding of my delegation is that the second version of the report could not be agreed upon because of one objection. That is why I believe that the question that the representative of Egypt has been emphasizing is crucial. We came here today to adopt the second version of your draft report, and that did not happen because of one objection. Then you raised other questions about whether or not the Commission wanted to consider other amendments or to reopen the package. That is another consideration. But, as you have wanted to address this process from the outset, we have discussed the agenda step by step — "incrementally", in your words. We did not agree on this report today because of one objection. That must be reflected in the report that you write. Then you can record the feelings of the Commission on Monday, if everyone agrees.

Mr. Shamaa (Egypt): You have said several times, Mr. Chairman, that you need guidance. But I have to say that you are disregarding proposals from delegations in that regard. You have been asking for delegations to help you, but you are not helping us to help you.

My delegation is not in a positio., to say what did and what did not transpire in the meeting; I believe it is the responsibility of the Chairman to say that. And that is what is going to be reflected in the report, if we have one. How can we end our meeting not knowing precisely where we stand? How can we finish our meeting and not know what is happening? Where do we stand now? We do not have an agreement; it is very simple to say that we do not have an agreement. It is not a matter of introducing new ideas or trying to reformulate it in a different way; it is very simple. But I do not want to take up too much time on this issue. We can take it up again on Monday, if we are to meet then without a suspension.

I would also like to raise another point. If we are to meet on Monday, we would appreciate it if the draft report could be ready in time for us to review it before the meeting starts, because we would not be in a position to start looking at it during the meeting.

The Chairman: I do not want to engage in a dialogue, but I do not want to say that we do not have an agreement, because then I would have to ask, "An agreement on what?"

Mr. Shamaa (Egypt): I stated what the agreement was on. I said that it was an agreement on the two agenda items and on the formulation on the working methods. That was the package that was reached on Wednesday.

Mr. Fruchtbaum (Grenada): Please know, Mr. Chairman, that my delegation's confidence in you and in your skills remains unshaken.

The events that are transpiring here are causing me not only mental distress, but also physical distress, and for two reasons. First, we had in our grasp something that we could all be proud of: it was not a failure, but indeed a success. And it looks as if we are losing that. The second reason for my distress is that I am wondering what will be made of this potential failure by forces outside this room. The argument that will be picked up — especially in the right-wing press, which is present here at the United Nations — is that an important delegation made a proposal for an amendment, and the Disarmament Commission refused even to discuss it. And I believe that that, in the wrong hands, will be a very damaging analysis of the Commission and its work.

I had hoped that the representative of the United States, with all the resources at his command, could consider a suggestion — and I recognize that perhaps the mouse is in no position to make suggestions or proposals to the elephant — that he prepare and present to us, not this evening, of course, but on Monday, a simple page or even a simple paragraph that would explain the position of the United States Government on its argument that the amendment it is proposing makes no operational difference, that the words to be deleted from the first agenda item really do not change that item. I ask all members to consider what a failure at this point to reach an agreement or even to have a discussion of a proposed amendment will mean in the hands of those who are not particular friends of the United Nations.

The Chairman: In the interests of the interpreters, who have been locked up in the booths — whereas we, of course, have the opportunity to move around — let me remind delegations that we are really short of time. I intend to lower the gavel at exactly 6.15 p.m., not one second thereafter.

Mr. Bravaco (United States): Mr. Chairman, I will be brief. I will meet your deadline. I wanted to say this on the record, because I am very careful about what I say on the record. I want to make sure that it is written down, so people can review it, since apparently close attention is being paid to it by at least one delegation, and that is good.

We came here today to adopt a draft report, meaning a report that was not yet agreed — otherwise we would not have had to come here today to carry out this task. I look forward to seeing your revision on Monday, Mr. Chairman.

I should like to respond briefly to the representative of Grenada. As I view it, he is about six feet, four inches tall, and I am about five feet, seven inches tall, so I do not know who is the mouse and who is the elephant, but on a personal basis, at least, I think that he has got me beat.

Mr. Chairman, I certainly would be willing to entertain his suggestion should you feel that it is appropriate. Again, I am in your hands in that respect. I am ready to discuss my amendment when you think it is right.

The meeting was suspended at 6.15 p.m.